

1 NVB 105-20 (Effective 1/17)

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6
 7 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

8 * * * * *

9 In re:) BK-S-18-13082-mkn
 Russell Caci and)
 10 Kimberlee Irene Kiser) CHAPTER 13
)
 11) **REQUEST FOR MORTGAGE**
) **MODIFICATION MEDIATION STATUS**
 12) **CONFERENCE**
)
 13) Hearing Date: March 20, 2019
) Hearing Time: 2:30 p.m.
 14 _____ Debtor(s).)

15 On 12/19/18, the Court entered an Order referring this case to the Mortgage
 16 Modification Mediation ("MMM") Program (Docket #56). The undersigned, Troy S. Fox,
 17 Attorney for Debtors (☒ Debtor ☐ Lender ☐ Mediator ☐ Trustee ☐
 18 Other), requests that the Court schedule an MMM Status Conference in this case for the
 19 following reason(s):
 20 To determine whether Creditor has participated in good faith as required by MMM
 21 Rule III(C) and whether lender attended the mediation with a person with the authority required
 22 pursuant to MMM Rule XI(D). Debtors contend that the Creditor participated in bad faith in
 23 inducing the Debtors to engage in a mediation process which the lender knew, or should have
 24 known was never going to result in a loan modification and then failed to attend the mediation

1 with a person authorized to discuss other loan resolution options.

2 WHEREFORE, pursuant to the MMM Program procedures, the undersigned
3 respectfully requests that the Court schedule an MMM Status Conference for resolution of the
4 above issues.

5
6 Submitted by:

7
8 /s/ Troy S. Fox
9 Signature

Dated: 02/12/19